IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5173 OF 2004

Deepak Gopaldas Sewhani ... Applicant

versus

State of Maharashtra ... Respondent

...

Mr. Anil S. Navale, for the Applicant.

Mr. D.R. More, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

20th December 2004

P.C.:

. Heard Counsel for the parties. In view of the peculiar situation in the present case and the assurance given by the Applicant that even if the Applicant is permitted to enter the jurisdiction of Bandra Police Station, as his place of residence is in Bandra, he will not influence the prosecution witnesses or tamper the prosecution evidence in any maner. On this assurance, application is allowed and the condition No. 4 imposed by this Court in order

dated 20th June 2003 is modified requiring the Applicant not to enter the area of jurisdiction of Khar Police Station, Mumbai, during the pendency of the trial. Rest of the conditions in order dated 20th June 2003 will remain as it is. This order is passed in view of the assurance of the Applicant as referred to above; so also in view of the fact that there is no adverse report against the Applicant that during the period of one and half years, no attempt was made by the Applicant to influence the prosecution witnesses.

. Application disposed of on the above terms.

(A.M.KHANWILKAR,J.)